

**SENATE, No. 1899**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED MARCH 3, 2022

**Sponsored by:**  
**Senator JOSEPH PENNACCHIO**  
**District 26 (Essex, Morris and Passaic)**

**SYNOPSIS**

Increases income eligibility limit for reduction or abatement of municipal or county utility authority fees.

**CURRENT VERSION OF TEXT**

As introduced.



S1899 PENNACCHIO

2

1 AN ACT concerning municipal or county utility authority fees;  
2 amending P.L.1992, c.215 and P.L.1994, c.78.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 1 of P.L.1992, c.215 (C.40:14B-22.2) is amended to  
8 read as follows:

9 1. Any municipal or county authority, including any municipal  
10 authority which provides electricity to a single municipality, may  
11 establish within its district rates or schedules which provide for a  
12 reduction, deferment, without accruing interest during the period of  
13 the deferment, or total abatement of the rents, rates, fees, or other  
14 charges pertaining to a primary residence owned, in full or in part,  
15 by a person who is enlisted in any branch of the United States  
16 Armed Forces. The reduction, deferment, without interest, or total  
17 abatement shall be effective during the period of time in which that  
18 person is deployed for active service in time of war. Any municipal  
19 or county authority may establish within its district rates or  
20 schedules which provide for a reduction or total abatement of the  
21 rents, rates, fees, or other charges which are charged to or collected  
22 from any person residing in the district of the age of 65 or more  
23 years, or less than 65 years of age and permanently and totally  
24 disabled according to the provisions of the federal Social Security  
25 Act, 42 U.S.C. s.301 et seq., or disabled under any federal law  
26 administered by the United States Department of Veterans Affairs if  
27 the disability is rated as 60 percent or higher, and the person either  
28 is annually eligible to receive assistance under the "Pharmaceutical  
29 Assistance to the Aged and Disabled" (PAAD) program, P.L.1975,  
30 c.194 (C.30:4D-20 et seq.) or has a total income not in excess of  
31 **[\$10,000]** \$15,000 per year, as adjusted annually by the  
32 Commissioner of Community Affairs, in consultation with the  
33 Department of the Treasury, to reflect any increase in the consumer  
34 price index for all urban consumers in the New York City and  
35 Philadelphia areas as reported by the United States Department of  
36 Labor, exclusive of benefits under any one of the following:  
37 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and  
38 all amendments and supplements thereto;  
39 b. Any other program of the federal government or pursuant to  
40 any other federal law which provides benefits in whole or in part in  
41 lieu of benefits referred to in, or for persons excluded from  
42 coverage under subsection a. of this section including, but not  
43 limited to, the federal "Railroad Retirement Act of 1974,"  
44 45 U.S.C. s.231 et seq., and federal pension, disability and  
45 retirement programs; or

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. Pension, disability or retirement programs of any state or its  
2 political subdivisions, or agencies thereof, for persons not covered  
3 under subsection a. of this section except that, the total amount of  
4 benefits to be allowed exclusion by any owner under subsection b.  
5 or c. of this section shall not be in excess of the maximum amount  
6 of benefits payable to, and allowable for exclusion by, an owner in  
7 similar circumstances under subsection a. of this section.  
8 (cf: P.L.2016, c.102, s.1)

9  
10 2. Section 1 of P.L.1994, c.78 (C.40:14A-8.2) is amended to  
11 read as follows:

12 1. Any county or municipal sewerage authority may establish  
13 within its district rates or schedules which provide for a reduction,  
14 deferment, without accruing interest during the period of the  
15 deferment, or total abatement of the rents, rates, fees, or other  
16 charges pertaining to a primary residence owned, in full or in part,  
17 by a person who is enlisted in any branch of the United States  
18 Armed Forces. The reduction, deferment, without interest, or total  
19 abatement shall be effective during the period of time in which that  
20 person is deployed for active service in time of war. Any county or  
21 municipal sewerage authority may establish within its district rates  
22 or schedules which provide for a reduction or total abatement of the  
23 periodic rents, rates, fees, or other charges for the use or services of  
24 the sewerage system which are charged to or collected from any  
25 person residing in the district of the age of 65 or more years, or less  
26 than 65 years of age and permanently and totally disabled according  
27 to the provisions of the federal Social Security Act, 42 U.S.C. s.301  
28 et seq., or disabled under any federal law administered by the  
29 United States Department of Veterans Affairs if the disability is  
30 rated as 60 percent or higher, and the person either is annually  
31 eligible to receive assistance under the "Pharmaceutical Assistance  
32 to the Aged and Disabled" (PAAD) program, P.L.1975, c.194  
33 (C.30:4D-20 et seq.) or has a total income not in excess of  
34 **[\$10,000]** \$15,000 per year, as adjusted annually by the  
35 Commissioner of Community Affairs, in consultation with the  
36 Department of the Treasury, to reflect any increase in the consumer  
37 price index for all urban consumers in the New York City and  
38 Philadelphia areas as reported by the United States Department of  
39 Labor, exclusive of benefits under any one of the following:

40 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and  
41 all amendments and supplements thereto;

42 b. Any other program of the federal government or pursuant to  
43 any other federal law which provides benefits in whole or in part in  
44 lieu of benefits referred to in, or for persons excluded from  
45 coverage under subsection a. of this section including, but not  
46 limited to, the federal "Railroad Retirement Act of 1974,"  
47 45 U.S.C. s.231 et seq., and federal pension, disability and  
48 retirement programs; or

1 c. Pension, disability or retirement programs of any state or its  
2 political subdivisions, or agencies thereof, for persons not covered  
3 under subsection a. of this section except that, the total amount of  
4 benefits to be allowed exclusion by any owner under subsection b.  
5 or c. of this section shall not be in excess of the maximum amount  
6 of benefits payable to, and allowable for exclusion by, an owner in  
7 similar circumstances under subsection a. of this section.  
8 (cf: P.L.2016, c.102, s.2)

9  
10 3. Section 5 of P.L.1994, c.78 (C.40A:26A-10.1) is amended to  
11 read as follows:

12 5. Any local unit operating a county or municipal sewerage  
13 facility may establish within its district rates or schedules which  
14 provide for a reduction, deferment, without accruing interest during  
15 the period of the deferment, or total abatement of the rents, rates,  
16 fees, or other charges pertaining to a primary residence owned, in  
17 full or in part, by a person who is enlisted in any branch of the  
18 United States Armed Forces. The reduction, deferment, without  
19 interest, or total abatement shall be effective during the period of  
20 time in which that person is deployed for active service in time of  
21 war. Any local unit operating a county or municipal sewerage  
22 facility may establish within its district rates or schedules which  
23 provide for a reduction or total abatement of the periodic rates,  
24 rentals, or other charges for the use or services of the sewerage  
25 system which are charged to or collected from any person residing  
26 in the district of the age of 65 or more years, or less than 65 years of  
27 age and permanently and totally disabled according to the  
28 provisions of the federal Social Security Act, 42 U.S.C. s.301 et  
29 seq., or disabled under any federal law administered by the United  
30 States Department of Veterans Affairs if the disability is rated as 60  
31 percent or higher, and the person either is annually eligible to  
32 receive assistance under the "Pharmaceutical Assistance to the  
33 Aged and Disabled" (PAAD) program, P.L.1975, c.194 (C.30:4D-  
34 20 et seq.) or has a total income not in excess of **[\$10,000] \$15,000**  
35 per year, as adjusted annually by the Commissioner of Community  
36 Affairs, in consultation with the Department of the Treasury, to  
37 reflect any increase in the consumer price index for all urban  
38 consumers in the New York City and Philadelphia areas as reported  
39 by the United States Department of Labor, exclusive of benefits  
40 under any one of the following:

41 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and  
42 all amendments and supplements thereto;

43 b. Any other program of the federal government or pursuant to  
44 any other federal law which provides benefits in whole or in part in  
45 lieu of benefits referred to in, or for persons excluded from  
46 coverage under subsection a. of this section including, but not  
47 limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C.

1 s.231 et seq., and federal pension, disability and retirement  
2 programs; or

3 c. Pension, disability or retirement programs of any state or its  
4 political subdivisions, or agencies thereof, for persons not covered  
5 under subsection a. of this section except that, the total amount of  
6 benefits to be allowed exclusion by any owner under subsection b.  
7 or c. of this section shall not be in excess of the maximum amount  
8 of benefits payable to, and allowable for exclusion by, an owner in  
9 similar circumstances under subsection a. of this section.  
10 (cf: P.L.2016, c.102, s.3)

11

12 4. Section 7 of P.L.1994, c.78 (C.40A:31-10.1) is amended to  
13 read as follows:

14 7. Any local unit operating a county or municipal water supply  
15 facility may establish within its district rates or schedules which  
16 provide for a reduction, deferment, without accruing interest during  
17 the period of the deferment, or total abatement of the rents, rates,  
18 fees, or other charges pertaining to a primary residence owned, in  
19 full or in part, by a person who is enlisted in any branch of the  
20 United States Armed Forces. The reduction, deferment, without  
21 interest, or total abatement shall be effective during the period of  
22 time in which that person is deployed for active service in time of  
23 war. Any local unit operating a county or municipal water supply  
24 facility may establish within its district rates or schedules which  
25 provide for a reduction or total abatement of the periodic rates,  
26 rentals, or other charges for water supply service which are charged  
27 to or collected from any person residing in the district of the age of  
28 65 or more years, or less than 65 years of age and permanently and  
29 totally disabled according to the provisions of the federal Social  
30 Security Act, 42 U.S.C. s.301 et seq., or disabled under any federal  
31 law administered by the United States Department of Veterans  
32 Affairs if the disability is rated as 60 percent or higher, and the  
33 person either is annually eligible to receive assistance under the  
34 "Pharmaceutical Assistance to the Aged and Disabled" (PAAD)  
35 program, P.L.1975, c.194 (C.30:4D-20 et seq.) or has a total income  
36 not in excess of ~~[\$10,000]~~ \$15,000 per year, as adjusted annually  
37 by the Commissioner of Community Affairs, in consultation with  
38 the Department of the Treasury, to reflect any increase in the  
39 consumer price index for all urban consumers in the New York City  
40 and Philadelphia areas as reported by the United States Department  
41 of Labor, exclusive of benefits under any one of the following:

42 a. The federal Social Security Act, 42 U.S.C. s.301 et seq. and  
43 all amendments and supplements thereto;

44 b. Any other program of the federal government or pursuant to  
45 any other federal law which provides benefits in whole or in part in  
46 lieu of benefits referred to in, or for persons excluded from  
47 coverage under subsection a. of this section including, but not  
48 limited to, the federal "Railroad Retirement Act of

1 1974," 45 U.S.C. s.231 et seq., and federal pension, disability and  
2 retirement programs; or  
3 c. Pension, disability or retirement programs of any state or its  
4 political subdivisions, or agencies thereof, for persons not covered  
5 under subsection a. of this section except that, the total amount of  
6 benefits to be allowed exclusion by any owner under subsection b.  
7 or c. of this section shall not be in excess of the maximum amount  
8 of benefits payable to, and allowable for exclusion by, an owner in  
9 similar circumstances under subsection a. of this section.  
10 (cf: P.L.2016, c.102, s.4)

11  
12 5. This act shall take effect immediately.

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14

15 **STATEMENT**

16

17 This bill would increase from \$10,000 to \$15,000 per year the  
18 annual income eligibility limit for certain senior and disabled  
19 individuals to receive a reduction or total abatement of the rents,  
20 rates, fees, or other charges collected by a local unit or units  
21 operating a sewerage facility or a water supply facility, a municipal  
22 or county utilities authority, or a municipal or county sewerage  
23 authority. The bill would also require the Commissioner of  
24 Community Affairs to consult with the Department of the Treasury  
25 in order to adjust the income eligibility limit annually to reflect  
26 increases in the consumer price index for all urban consumers in the  
27 New York City and Philadelphia areas as reported by the United  
28 States Department of Labor.